

Superfund Reuse Program's Response to Arkwood Letter dated May 10, 2012 and addressed to Gloria Moran:

In January 2011, EPA Region 6 designated the Arkwood Superfund site as "Site Wide Ready for Reuse." According to EPA's guidance on Site Wide Ready for Reuse, EPA developed a performance measure to report the Superfund programs accomplishments under the Government Performance and Results Act (GPRA) in making land ready for reuse at construction complete sites (construction completion is also a Superfund program performance measure).

The *performance measure* for Sitewide Ready-for-Reuse is stated in EPA's guidance as the following:

*The number of final and deleted construction complete National Priorities List (NPL) sites where, for the entire site,*

- (1) All cleanup goals in the Record(s) of Decision or other remedy decision document(s) have been achieved for media that may affect current and reasonably anticipated future land uses of the site, so that there are no unacceptable risks; and*
- (2) All institutional or other controls required in the Record(s) of Decision or other remedy decision document(s) have been put in place.*

During the most recent Five Year Review process, EPA Region 6 evaluated the Arkwood Superfund site and determined that it met the criteria defined above. There is no requirement for EPA to formally notify or coordinate with the site owners, responsible parties, or other stakeholders prior to making the Site Wide Ready for Reuse designation. EPA's Site Wide Ready for Reuse guidance is attached for your review and information.

According to EPA's 2004 Guidance on Ready for Reuse Determinations, EPA has developed a *document* called a Ready for Reuse (RfR) determination that EPA may use to communicate that all or a portion of a Superfund site is protective for specified types of uses. RfR determinations are a tool intended to provide helpful information to the real estate marketplace, the public, and other stakeholders about the environmental status of Superfund sites to facilitate their reuse. RfRs restate EPA decision document requirements in an easily understood fashion, clearly communicating site cleanup efforts to date, operation and maintenance (O&M) requirements, and site institutional controls (ICs). RfRs do not "create" any additional EPA decision documents or technical determinations; therefore they based on a technical administrative review of existing documents. When EPA issues an RfR for a Superfund site, the relevant EPA documents are included as attachments for reference. EPA's Ready for Reuse Guidance is attached for your review and information.

In late 2011, when the Arkwood site owner's son expressed an interest in potentially selling the property for industrial development, EPA Region 6 offered to prepare a Ready for Reuse Determination for the site. The Arkwood Ready for Reuse Determination is on hold pending completion of revisions to site ICs. When the ICs are complete, EPA will concur with the Arkansas Department of Environmental Quality (ADEQ – who is already aware of the draft RfR) and local governments on the Arkwood RfR before issuing the final version.

It is important to note the distinction between EPA's Site Wide Ready for Reuse measure and EPA's Ready for Reuse Determinations. The Sitewide Ready for Reuse designation is an EPA performance measure under GPRA for Superfund sites that meet the defined criteria. The Ready for Reuse document, such as the one prepared for the Conroe Creosoting site, is an EPA tool to support returning Superfund sites to beneficial reuse. EPA's RfR guidance clearly states that "the GPRA-based evaluations are different from and independent of the RfR determinations".